

**EXHIBIT A**  
**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MASSACHUSETTS**

NMT MEDICAL, INC. and LLOYD A.	)	
MARKS,	)	
Plaintiffs,	)	
v.	)	Civil Action No. 04-CV-12565 NG
AGA MEDICAL CORPORATION,	)	
Defendant.	)	
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AGA MEDICAL CORPORATION,	)	
Plaintiff,	)	
v.	)	
NITINOL MEDICAL TECHNOLOGIES,	)	Civil Action No. 05-CV-11804 NG
INC. d/b/a NMT MEDICAL, INC. and	)	
LLOYD A. MARKS,	)	
Defendants.	)	
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**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE**

The parties, by their undersigned counsel, stipulate and agree, subject to the approval of the Court, that:

1. CIVIL ACTION No. 04-CV-12565, is dismissed in its entirety with prejudice pursuant to Rule 41(a)(1), Fed. R. Civ. P.;
2. CIVIL ACTION No. 05-CV-11804, is dismissed in its entirety with prejudice pursuant to Rule 41(a)(1), Fed. R. Civ. P.; and

3. Each party shall bear its own costs and attorneys' fees.

SO ORDERED:

Dated: \_\_\_\_\_, 2006

\_\_\_\_\_  
United States District Judge

AGREED TO:

**NMT MEDICAL, INC. Inc.  
and LLOYD A. MARKS**

By:

*Charles H. Sanders*

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